

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHARLES B. JACKSON III,

Plaintiff,

v.

CV No. 19-767 JCH/CG

THE CITY OF LAS CRUCES,

et al.,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)
AND TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff Charles B. Jackson III's *Financial Affidavit Application to Proceed in Forma Pauperis* (28 U.S.C. § 1915) (the "Motion"), (Doc. 2), filed August 22, 2019. Having reviewed the Motion, and the Inmate Account Statement, the Court finds the Motion is well-taken and shall be **GRANTED**. Because the Court grants Mr. Jackson's Motion under 28 U.S.C. § 1915(a) and (b), the filing fee for this civil rights complaint is \$350.00. Pursuant to § 1915(b)(1), Mr. Jackson is required to make installment payments until the full amount of the filing fee is paid.

Based on the Court's analysis under § 1915(b)(1) of Mr. Jackson's inmate account statement, (Doc. 2 at 3-4), the Court finds Mr. Jackson owes an initial partial payment of \$21.33. If Mr. Jackson fails to make a payment by the designated deadline or show cause why such payment should be excused, the civil rights complaint may be dismissed without further notice.

IT IS THEREFORE ORDERED that Mr. Jackson's *Financial Affidavit Application to Proceed in Forma Pauperis* (28 U.S.C. § 1915), (Doc. 2), is **GRANTED**;

IT IS FURTHER ORDERED that, by February 10, 2020, Mr. Jackson shall send to the Clerk an initial partial payment of \$21.33 or show cause why payment should be excused;

IT IS FURTHER ORDERED that the Clerk is directed to provide Mr. Jackson with two copies of this Order, and that Mr. Jackson make the necessary arrangements to attach one copy of this Order to the check in the \$21.33 amount of the initial partial payment; and

IT IS FINALLY ORDERED that, after payment of the \$21.33 initial partial fee, Mr. Jackson shall make monthly payments of twenty per cent (20%) of the preceding month's income credited to his account or show cause why the designated payments should be excused.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE